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Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

In re ATM FEE ANTITRUST
 LITIGATION

Master File No. C04-2676 CRB

CLASS ACTION

This Document Relates To:
 ALL ACTIONS

**NOTICE OF MOTION AND MOTION TO
 COMPEL ALL DEFENDANTS TO PROVIDE
 DOCUMENTS RELEVANT TO PLAINTIFFS'
 FOURTH SET OF REQUESTS FOR
 PRODUCTION OF DOCUMENTS**

Date: May 17, 2007
 Time: 2:00 p.m.
 Courtroom: 8
 The Honorable Charles R. Breyer

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 17, 2007, at 2:00 p.m. (or as soon
3 thereafter as the matter may be heard) in the Courtroom of the Honorable Charles R. Breyer
4 located at 450 Golden Gate Avenue, San Francisco, California, Plaintiffs will, and hereby do,
5 move to compel the following parties as follows:

- 6 1. Defendants Concord EFS, Inc. and First Data Corporation to provide
7 further responses and documents in response to Plaintiffs' Fourth Set of
8 Requests for Production of Documents to Concord EFS, Inc. and First Data
9 Corporation, pursuant to Rules 26 and 37 of the Federal Rules of Civil
10 Procedure, as well as the Local Rules of the Northern District of California;
11 and
- 12 2. Defendants JPMorgan Chase Bank, N.A. Successor-in-Interest to Bank
13 One, N.A., Bank of America Corporation, Citibank, N.A., Successor-in-
14 Interest to Citibank (West), FSB, SunTrust Banks, Inc., Wachovia
15 Corporation, Wachovia Bank, N.A., Wells Fargo & Co., Wells Fargo
16 Bank, N.A., and Servus Financial Corp. to provide further responses and
17 documents in response to Plaintiffs' Fourth Set of Requests for Production
18 of Documents to Bank Defendants, pursuant to Rules 26 and 37 of the
19 Federal Rules of Civil Procedure as well as the Local Rules of the Northern
20 District of California.

21 Plaintiffs' motion to compel is based on this Notice of Motion and Motion to
22 Compel All Defendants To Provide Documents Relevant To Plaintiffs' Fourth Set Of Requests
23 For Production Of Documents, the accompanying Plaintiffs' Memorandum in Support of Motion
24 to Compel All Defendants To Provide Documents Relevant To Plaintiffs' Fourth Set Of Requests
25 For Production Of Documents; the Declaration of Joseph R. Saveri in Support of Motion to
26 Compel All Defendants To Provide Documents Relevant To Plaintiffs' Fourth Set Of Requests
27 For Production Of Documents; Declaration of Joseph R. Saveri in Support of Motion to Compel
28 Appending Relevant Discovery Requests and Responses; Declaration of Joseph R. Saveri in

1 Support of Motion to Compel Appending Court-File Documents; the [Proposed] Order Granting
2 Plaintiffs' Motion to Compel All Defendants to Provide Documents Relevant to Plaintiffs' Fourth
3 Set of Requests for Production of Documents; the pleadings and other matters on file in this
4 action; and any arguments and testimony that may be heard.

5
6 Dated: April 17, 2007

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

7
8 By: /s/ Joseph R. Saveri
9 Joseph R. Saveri

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